

# **Attachment A**

## **Large Lot Subdivisions - UPDATE**

### **Title 16 Subdivisions**

#### **16.02 General Provisions**

##### **16.02.040 Specific exemptions.**

The provisions of this title shall not apply to:

(9) Defining of Land. The land to which this title applies is any parcel, the division of which will create or leave a parcel less than or equal to 20-80 acres in size;

(11) Conservation lots. Conservation lots are created for purposes of environmental mitigation, conservation or restoration, owned in fee simple interest by a registered, non-profit conservation land trust or government agency. Such lots may not be created so as to make the remaining lot unbuildable or less than the minimum lot size for the zoning in that area. For the purposes of this chapter, an unbuildable lot shall be defined as a lot which is unable to be developed without a variance or reasonable use exception. Surveys and/or deeds recorded for the purpose of creating such conservation lots shall:

(a) Be prepared by a professional land surveyor licensed by the state of Washington, and shall be submitted with a notice placed on the face of the survey map stating:

*This conservation lot segregation is created solely for purposes of environmental mitigation, conservation or restoration. Any subsequent conveyance of this property shall continue use of the property for the purpose of environmental mitigation, conservation or restoration.*

(b) Be annotated with language that prohibits human habitation, conversion of native vegetation to another use, or construction of buildings and other structures.

(c) Contain a note explaining the purposes of the exempt lot, such as the protection of a particular species, habitat conservation, critical area preservation or open space and listing the entity responsible for management of the exempt parcel.

(d) Be reviewed and approved by Lewis County Community Development prior to recording with the Lewis County Auditor's Office.

#### **16.04 Definitions**

##### **16.04.183 Large lot subdivision.**

“Large lot subdivision” means the division of contiguous land, for purposes of sale, lease or transfer of ownership, into two or more lots, all of which are five acres or one-one hundred

twenty-eighth of a section of land or larger, and any one of which is less than or equal to smaller than 20-80 acres or one-thirty-secondone-eighth of a section of land.

## **16.12 Large Lot Subdivisions**

### **16.12.010 Purpose.**

The purpose of this chapter is to regulate the division of land into lots less than or equal to 20 80 acres in size, of which no lot is less than five acres in size or one-one hundred twenty-eighth of a section of land in size.

### **16.12.020 Applicability.**

Every division of contiguous land, for purposes of sale or lease, into two or more lots, all of which are five acres or one-one hundred twenty-eighth of a section of land or larger, and any one of which is less than or equal to smaller than 20-80 acres or thirty-secondone-eighth of a section, shall proceed in compliance with this chapter. For purposes of applicability, the size of all parcels shall be measured to the centerline of any abutting right-of-way.

## **Article VIII. Simple Segregations - Alternate Procedure**

### **16.12.500 Definition.**

A simple segregation is:

(1) ~~the~~The creation of up to four tracts, five acres in size or larger, leaving no tract less than five acres in size; or

(2) The creation of any number of tracts that are 20 acres or greater.

### **16.12.520 Application and approval.**

(1) The application shall show a map of the property and provide legal descriptions for each parcel to be segregated, and the remainder parcel, in a form capable of recording.

(2) The application form shall identify that the proposed tract is lawfully zoned for 5-acre the proposed tracts and has lawful access to public road. The proposed covenants shall identify that tracts approved under this section have not been reviewed for building permit purposes and may not be suitable for development.

(3) For a determination of suitability for current development, the owner of the tracts to be sold or applicant for a building permit on a lot must show:

(a) The tract has access to water as required by state law.

(b) The tract has a suitable building site outside of critical areas and is consistent with criteria in the critical areas ordinance.

(c) The tract has a conforming septic and reserve area consistent with Health Department requirements, Chapters 8.40 and 8.41 LCC.

(4) Upon written findings that the two items in section (2) above are satisfied, the Administrator shall approve the simple segregation, which shall be recorded. The covenants of approval shall provide all tracts are legal lots of record for purposes of sale, but with no warranty that the lots are buildable under County rules and regulations. If the applicant submits the additional information required in (3) above, the Administrator may include a written finding that the lot is a lawful building lot as of the date of approval and the covenants may provide the lot is a lawful building lot as of the date of approval.

## **Title 17 Land Use and Development Regulations**

### **17.30 Resource Lands**

#### **17.30.190 Large lot subdivision.**

“Large lot subdivision” means the division of contiguous land for purposes of sale, lease or transfer of ownership, sale or lease into two or more lots, all of which are five acres or one-one hundred twenty-eighth of a section of land or larger, and any one of which is less than or equal to 80 acres or one-eighth of a section of land. ~~within a designated resource land, no lot of which is less than five acres in size and one lot of which is at least 20 acres in size.~~